

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

DEC 9 2005

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Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

This Document Relates to: All Cases

CLAYTON OFFICE

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MEMORANDUM & ORDER

MEMORANDUM & ORDER APPROVING SET 88: 13 AWARDS AND 18 AWARD DENIALS
CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF
THE RULES GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING
PAYMENT FROM THE SETTLEMENT FUND

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 13 Awards listed in Annex A and of 18 Award Denials listed in Annex B to this Order, which have been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 13 Awards is US\$ 617,648.86 (SF 815,296.50 converted at a rate of 1.32 Swiss Francs per U.S. Dollar).

If the Court approves the eighty-eighth set and any previously submitted, but not yet approved sets, a total of 3,274 accounts, with a current value of US\$ 284,440,678.74, will have been awarded thus far under CRT I and CRT II combined. Under CRT II alone, including the Awards submitted with this letter, a total of 1,902 Awards for 3,067 accounts totaling US\$ 272,740,678.74, will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US\$ 131,972.83.¹ Under CRT I, which took place from 1997 through 2000, 207 accounts, with a value of US\$ 11.7 million, were awarded as accounts belonging to Victims of Nazi Persecution.

¹ Because the size of the Batch 75 award made it an outlier that would have skewed the results, it was not included in the calculation of the average values.

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Furthermore, a total of 687 Certified Denials will have been approved under CRT II. In 614 of these 687 Denials, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner, in 55 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, in 13 cases the CRT determined that the Claimant was not entitled to the Account Owner's account, and in 5 cases the CRT determined that the evidence submitted was insufficient to support the existence of a bank account belonging to the Claimed Account Owner. Under CRT I no Denials were submitted to the Court.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 13 Awards are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that for the payment of these 13 Awards certified by the CRT and approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 617,648.86 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account; and

ORDERED that the attached 18 Award Denials are hereby approved for release to the relevant Claimants.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award or Award Denial, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York
November 30, 2005

SO ORDERED:

s/Edward R. Korman
Edward R. Korman
United States District Judge

CLAIMS RESOLUTION TRIBUNAL

[Batch LXXXVIII] -Annex A - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of November 18, 2005 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number	Award Amount (SFr.)
1. Beck 728396/AX	60,943.25
2. Eiseck 501399/OW; 222487/OW	189,250.00
3. Goldschmidt 753036/AX	26,750.00
4. Kann 221362/WM	53,500.00
5. Kessler 711116/AX; 777272/AX*	11,603.25
6. Krammer 001329/AX	49,375.00
7. Meier 223105/MW; et al*	10,375.00
8. Mueller 202750/AX; et al	49,375.00
9. <i>Rosenfeld & Co.</i> 204200/SJ	26,750.00
10. Schrenzel 222324/AK	189,250.00
11. Tetzlaff 222394/OW	49,375.00
12. Wild 501175/SJ	49,375.00
13. Zimmerman 201274/AX; et al *	49,375.00
TOTAL	815,296.50
Total Award Amount in U.S. Dollars²	617,648.86

*MPM Award

² Exchange rate as of 18 November 2005 of 1.32 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

[Batch LXXXVIII] - Annex B - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of November 18, 2005 the following Award Denial for approval by the Court:

1. Auerbach 214435/SB	Identification
2. Faerber 300197	Entitlement
3. Gross 213147/CN	Identification
4. Haase 150107/HB	Identification
5. Halasz 207712/SB	Identification
6. Hirsch 218427/SB	Identification
7. Kahn 215118/AV	Identification
8. Knöpfmacher 220526/SB	Identification
9. Loewenthal 220774/SB	Identification
10. Meyer 500602/SB	Identification
11. Neuvirth 214706/SB	Identification
12. Reich 500030/SB	Identification
13. Richter 218341/SB; 218342/SB	Identification
14. Rosenberg 201935/SB; 774545/SB	Identification
15. Strauss 215617/SB	Identification
16. Weber 208216/SB	Identification
17. Lukacs 601241; et al	Disposition
18. Jacobi 501491/SB	Identification